

# What EPA head Scott Pruitt will mean for farmers

*By Jayson Lusk - May 1, 2017*

The appointment of former Oklahoma Attorney General Scott Pruitt as the head of the Environmental Protection Agency (EPA) was met with predictable cheers from energy entrepreneurs and jeers from some environmental advocacy groups. Much less discussed are the reactions from farmers and the impact Pruitt's appointment could have on agriculture.

Even before his appointment to the EPA, as state attorney general Pruitt sued the EPA over the agency's controversial Waters of the United States (WOTUS) rule. EPA's jurisdiction had primarily been limited to navigable waters. But WOTUS, using the Clean Water Act as justification, broadened the definition of navigable waters and would have massively expanded the EPA's regulatory reach. Farmers were concerned that they would face a new set of regulations simply for using drainage or irrigation ditches or even face penalties for puddles of water standing in fields. After only about a month in office, and in a move widely praised by agricultural groups, President Trump signed an executive order giving Pruitt the power to start the process of repealing the rule.

President Trump's executive action and Pruitt's appointment to the EPA signify a noteworthy shift in the federal government's approach to regulating agriculture. The Obama administration, for example, went so far as to propose that dust from farms be regulated by the EPA. Data from the Mercatus Center at George Mason University indicate that EPA regulation on agriculture, forestry, fishing and hunting has grown 88.81 percent since 1997. Farmers will be looking to Pruitt and the EPA for additional relief from regulatory burdens facing agriculture.

EPA regulations impact agricultural production in myriad ways. Cattle, hog and poultry feeding operations, for example, are regulated by the EPA under the auspices of the Clean Water Act and the Clean Air Act. EPA regulations affect fertilizer use, and new pesticides require approval from the EPA before farmers can put them to work in the field. New genetically engineered crops also fall under the EPA regulatory umbrella and must achieve EPA approval before being commercialized.

One hope among some economists is that, under new leadership, the EPA will more heavily utilize benefit-cost analysis. It has been argued that prior EPA actions have been based more on ideology than sound science. As a point of fact, certain EPA guidelines related to the tolerance limits for pesticide residues on food, for example, are based on arbitrary criteria untethered to economic benefits and costs. No one likes the idea of potentially eating pesticides in their food. However, people also like to eat affordably.

If we want an abundant food supply, farmers need a way to control pests and protect food from the vagaries of nature. The more cost effectively this can be done, the lower the price of food. It is true that excess consumption of the wrong kinds of pesticides can cause cancer — but so too can inadequate consumption of fruits and vegetables. An economic approach to rule-making would consider not only the toxicity of a given compound up for consideration but also what

farmers will use if the compound isn't approved and what consumers will buy instead if food prices are affected.

In short, under new leadership, there is an opportunity for the EPA to more carefully consider not only the benefits of new regulation but also the cost to consumers and farmers.

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